

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: Case No.: 19-23649
PURDUE PHARMA L.P., et al., Chapter 11
Debtor
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**DECLARATION OF SHANNON M. MCNULTY MADE ON BEHALF OF THE AD
HOC GROUP OF HOSPITALS IN SUPPORT OF THE PLAN'S FEES**

I, Shannon M. McNulty, under penalty of perjury, hereby declare as follows:

1. I am a partner with Clifford Law Offices, P.C., and am a member in good standing of the Bar of the State of Illinois.
2. I respectfully submit this declaration in support of the Ad Hoc Group of Hospitals' Response to the United States Trustee's Objection to the Plan's Fee provision. Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration and could testify competently to them if called upon to do so.
3. I have never been sanctioned; nor have I been the subject of any complaint of alleged wrongdoing, or any Order inferring any questionable conduct. I have practiced law for more than seventeen years at Clifford Law Offices, P.C. I actively engage in all practice areas in my firm, though I have oversight of the firm's consumer and mass/class action practice. I am experienced in leading class and mass tort litigation.
4. Currently I am a co-lead counsel in the *Society Business Interruption Coverage Litigation*, MDL No. 2964. I also have served in leadership positions in the following matters: *Eubank, et al., v. Pella Window Corporation*, Case No. 06 C 4481 (Clifford Law Offices appointed as Lead

Counsel); *In Re: Dealer Management Systems Antitrust Litigation*, MDL No. 2817, Case No. 18 C 864 (Clifford Law Offices appointed as Liaison Counsel); *In Re: Herbal Supplements Marketing and Sales Practices Litigation*, MDL Nos. 2619, 2620, 2621, 2622, Case No. 15-cv-5070 (Clifford Law Offices appointed as co-chair of lead counsel committee with Hagens Berman); *In Re: National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation*, MDL No. 2492, Master Docket No. 16 C 8727 (Shannon M. McNulty appointed as liaison counsel); *In re DePuy Hip Litigation*, Circuit Court of Cook County, Case No. 10 L 10506 (Shannon M. McNulty appointed as co-lead counsel); *In re Talcum Powder Litigation*, Circuit Court of Cook County, Case No. 17 L 2169 (Shannon M. McNulty appointed as co-lead counsel); *In re Advocate Data Breach Litigation*, Circuit Court of Cook County, Case No. 13 CH 20390 (Clifford Law Offices appointed as co-lead); *In Re: TikTok, Inc., Consumer Privacy Litigation*, MDL No. 2948, Master Docket No. 20 C 4699 (Shannon M. McNulty appointed as liaison counsel).

5. I am honored to have also been recognized by my peers for contributions to the profession. Most recently, I was nominated and, on September 7, 2020, received, the 2020 Crain's Chicago Business Notable Women in Law award. Moreover, I have been recognized as a Best Lawyers® in America, 2015 – 2021; a Chicago Daily Law Bulletin & Chicago Lawyer Women in Law Honoree, 2020; a Leading Lawyer, Law Bulletin Media, 2018 – Present; an Illinois Super Lawyer, 2016 – Present; a Most Influential Women Lawyers in Chicago, Crain's Custom Media, 2017; an Illinois Super Lawyers Rising Star, 2009 – 2014; and, Chicago Law Bulletin's Forty Under 40, 2007

6. I am involved in opioid litigation on behalf of Hospitals now pending in various state courts. I am part of a litigation team in those matters that includes Don Barrett, Jon Cuneo, Robert A. Clifford, Steve Martino, Ruth Lichtenfeld, with whom I have worked in the Purdue Pharma bankruptcy proceedings.

7. In the case *sub judice*, I have been substantially involved with my co-counsel and litigation partners, Don Barrett, Jon Cuneo, Robert A. Clifford, Steve Martino and Ruth Lichtenfeld, in the Phase One and Two Mediations. I have routinely spoken with counsel for the debtors and the other committee groups, for the purpose of resolving differences and good faith efforts to reach agreement. In relation to those good faith efforts, I have also spoken with attorneys who represent Holders of Class Six Claims.

8. In support of the Class Six Trust Distribution Procedures, we sought input from several highly qualified experts. The intent was to use the power of healthcare data, as Dr. Gupta himself did for the State of West Virginia, to develop a highly reliable and objective method of allocation for eligible claimants. Notably, the Class Six Trust utilized the massive dataset to isolate factors that objectively quantify the impact of the opioids on Hospitals and the communities they serve. The processes and resources associated with making the data accessible and reliable for conducting such medical and “social autopsies” were intense and, for many of the Class Six claimants, prohibitive in terms of time, people, technology and expense. Counsel for the Hospital Group undertook that resource-intensive process.

9. Moreover, the mediation process subjected Class Six to several months of adversarial proceedings. The Hospital Group worked to ensure a meaningful allocation for all acute care hospitals and the holders of Class Six Claims. Although acute care hospitals serve as anchors in their communities that remain best-positioned to deliver abatement services to the farthest reaches of the communities they serve, there was not immediate consensus on the necessity and import of designating a specific trust for Class Six. The Hospitals were justifiably scrutinized. Over many months, in two phases, the Hospital Group demonstrated its evidence in support of that necessity. The Hospital Group presented experts, data and clinically-based abatement plan proposals.


10. Throughout the proceedings, the Hospital Group provided multiple demonstrations of the data and Trust Distribution Procedures, and permitted regularly scheduled access to its expert, Bill Legier. Further, the Hospital Group championed the significance of the amassed OUD claims data and the value of its objectivity. The Hospital Group continued to coordinate with the clinical expertise and real experience of their clients, as well as their consulting experts, including Rebecca Busch (claims data auditing); Gayle Galan, M.D., (emergency medicine); Rahul Gupta, M.D. (abatement and social autopsy) and Bill Legier (causation and damages), all retained by the Hospitals in connection these proceedings.

11. As a result of the Hospital Group's thoroughness, fairness and evidence-based advocacy, the only objector to the Class Six Trust, an emergency room physician, has been caused to reduce his complaints to merely one (which is handled in separate papers). Remarkably, the Hospital Group has worked diligently with the debtor and the governmental entities to cohesively resolve all disputes that arose during the proceedings.

12. Importantly, the Ad Hoc Group of Hospitals will continue to assist claimants in their annual reporting and compliance efforts.

13. A true and correct copy of my abbreviated curriculum vitae is supplied in Attachment A to this Declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


Shannon M. McNulty

Executed on August 5, 2021, in Chicago, Illinois.

SHANNON M. MCNULTY
CURRICULUM VITAE

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Employment

- Clifford Law Offices, P.C., 2003 – Present, Partner
- Chicago Police Department, 1994-2003, 911 Communications Dispatcher, District Manager, and Chief of Staff to First Deputy Superintendent
- Illinois Criminal Justice Information Authority, 1992-1994

Bar Admissions

- Illinois, 2004
- U.S. District Court Northern District of Illinois
- U.S. District Court of Central District of Illinois
- U.S. District Court Southern District of Illinois
- U.S. Court of Appeals 6th Circuit

Education

- DePaul University College of Law, Chicago, Illinois
 - Juris Doctor, 2004 (CALI recipient for Contract and Trial Advocacy)
- University of Virginia
 - Trial Advocacy Institute – January, 2008
- Northwestern University
 - Summer Institute in Negotiation – June, 2006
- DePaul University
 - Master of Science – 1997
 - Honors: With Distinction
 - Honors: American Society of Public Administrators, Student of the Year, 1997
 - Major: Management of Public Services
- Loyola University Of Chicago
 - B.S. *cum laude* – 1993
 - Major: Criminal Justice

Professional Associations and Memberships

- American Bar Association, Section of Litigation and Member of the ABA Annual Meeting Advisory Committee
- American Association for Justice
- Attorney's Information Exchange Group
- Chicago Bar Association (Judicial Evaluation Committee 2011-present; Vice Chair Professional Ethics Committee, 2006-2007)
- Illinois State Bar Association
- Supreme Court Committee for Rules of Evidence, Appointed, 2008-Present

Volunteer, Professional Development & Leadership

- Advisory Board Member, Chicago Police Memorial Foundation, 2007-2012
- South Suburban Mayor's Association, Volunteer, 1997
- Volunteer at Saint Michael's House, 1999-2005
- Initiated and coordinated the Chicago Police Officers' NYPD Memorial Fund, for the children of NYPD officers' killed on September 11, 2001
- Awarded by U.N.I.T.E. Civic Organization (Albany Park) for Outstanding Service
- Awarded American Society of Public Administrators' Student of the Year
- Supreme Court Committee for Rules of Evidence, Appointed by the Illinois Supreme Court, 2008
- Law Bulletin's 40 Illinois Attorneys Under Forty to Watch 2009
- Super Lawyers Rising Star, 2009-2014
- Super Lawyer, 2015-present
- Leading Lawyer, 2013-present
- Leading Women's Lawyer, 2015

Presentations

- "Pre-emption", GM University, Detroit, Michigan, 2006
- "Ethics When No One is Looking", CAN All-Stars of Professionalism and Ethics, 2007
- "Ethics of Witness Preparation", ITLA Spring Seminar, 2013
- Contributing Commentator to NBC 5, CBS 2, ABC 7, Chicago Tribune, Bloomberg, Law360

Published Works

- Detention in the juvenile justice system. ICJIA Compiler, Summer 1993
- 1993-4 Criminal History Records Audit Methodology. ICJIA, December 1993
- 1993-4 Criminal History Records Audit: Illinois' CCH System Overview. ICJIA, August 1994
- Comprehensive Examination of the Illinois Criminal History Records Information System, ICJIA, August 1995 [contributing author]
- Privatization of Public Services in the South Suburbs. DePaul University Press, May 1997